

United States Bankruptcy Court
Eastern District of New YorkIn re:
Sean M Murray
DebtorCase No. 17-44157-ess
Chapter 7**CERTIFICATE OF NOTICE**

District/off: 0207-1

User: cteutonic
Form ID: pdf000Page 1 of 1
Total Noticed: 4

Date Rcvd: Nov 30, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 02, 2018.

+RAS BORISKIN, LLC, BANKRUPTCY DEPARTMENT, 900 MERCHANTS CONCOURSE, SUITE 106,
WESTBURY, NY 11590-5114
+ROBERTSON, ANSCHUTZ & SCHNEID, P.L., BANKRUPTCY DEPARTMENT, 6409 CONGRESS AVE., SUITE 100,
BOCA RATON, FL 33487-2853
cr +Toyota Motor Credit Corporation, c/o Becket and Lee LLP, PO Box 3002, Dept MVS,
Malvern, PA 19355-0702

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
db +E-mail/PDF: seanmurray@prodigy.net Nov 30 2018 18:41:02 Sean M Murray, PO Box 1110,
Albany, NY 12201-1110

TOTAL: 1

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Dec 02, 2018

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 30, 2018 at the address(es) listed below:

Barbara Whipple on behalf of Creditor Nationstar Mortgage LLC bwhipple@rasflaw.com
Cleo f Sharaf on behalf of Creditor Nationstar Mortgage LLC D/B/A Mr. Cooper
csharaf@rasboriskin.com
Cleo f Sharaf on behalf of Creditor Nationstar Mortgage LLC csharaf@rasboriskin.com
Deborah Turofsky on behalf of Creditor Specialized Loan Servicing dturofsky@grosspolowy.com,
turofskylaw@yahoo.com
Dennis Jose on behalf of Creditor Nationstar Mortgage LLC D/B/A Mr. Cooper
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Dennis Jose on behalf of Creditor Specialized Loan Servicing ecfnotices@grosspolowy.com
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evanhorn@grosspolowy.com
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Miriam Joy Rosenblatt on behalf of Creditor Nationstar Mortgage LLC mrosenblatt@rasflaw.com,
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om

TOTAL: 15

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

-----X
In re

SEAN M MURRAY,

Debtor.
-----X

Chapter 7

Case No. 17-44157-ess

**ORDER DIRECTING DEBTOR TO FILE A CONSOLIDATED MOTION
SEEKING REMAINING RELIEF SOUGHT AGAINST NATIONSTAR AND
SCHEDULING A HEARING**

WHEREAS, on August 10, 2017, Sean M Murray filed a petition for relief under Chapter 7 of the Bankruptcy Code; and

WHEREAS, on December 8, 2017, the Court entered an order discharging the Debtor's dischargeable debts (the "Discharge Order"); and

WHEREAS, on December 13, 2017, Nationstar Mortgage LLC ("Nationstar") filed a motion for relief from the automatic stay (the "Lift Stay Motion") with respect to the property located at 35-21 79th Street, Apartment 4E, Jackson Heights, New York 11372 (the "Property"); and

WHEREAS, on January 22, 2018, the Debtor filed a request to enter into the Court's Loss Mitigation Program with respect to the Property and the loan ending in 9916 (the "9916 Loan") with Nationstar; and

WHEREAS, on February 23, 2018, the Debtor filed a second request to enter into the Court's Loss Mitigation Program with respect to the Property and the 9916 Loan with Nationstar, and with respect to the same Property and the loan ending in 9508 (the "9508 Loan") with Specialized Loan Servicing, LLC ("SLS"); and

WHEREAS, on February 23, 2018, the Court entered an order directing the Debtor and Nationstar to participate in the Court's Loss Mitigation Program, with respect to the Property and the 9916 Loan (the "Loss Mitigation Order"); and

WHEREAS, on February 27, 2018, the Debtor filed a third request to enter into the Court's Loss Mitigation Program, with respect to the Property and the 9508 Loan, and listing the creditor as "NationStar Mortgage LLC, d.b.a Mr. Cooper, d.b.a Specialized Loan Servicing"; and

WHEREAS, on March 20, 2018, the Debtor filed an application for an order to show cause requesting the Court to hold Nationstar and SLS in contempt for violations of the automatic stay with respect to a scheduled and subsequently cancelled auction sale of the Property (the "First Request for Relief"); and

WHEREAS, on April 3, 2018, Nationstar filed an objection to the First Request for Relief (the "First Request for Relief Objection"); and

WHEREAS, on April 5, 2018, the Debtor filed a motion to strike Nationstar's First Request for Relief Objection (the "Second Request for Relief") based upon Nationstar's allegedly improper service of the First Request for Relief Objection, among other things, which in substance is a reply to the First Request for Relief Objection; and

WHEREAS, on April 10, 2018, the Court entered an order directing the Debtor and "Nationstar Mortgage LLC, d.b.a. Mr. Cooper d.b.a. Specialized Loan Servicing" to participate in the Court's Loss Mitigation Program with respect to the Property and the 9508 Loan (the "Second Loss Mitigation Order"); and

WHEREAS, on July 19, 2018, Nationstar notified the Court that "Nationstar Mortgage LLC, d.b.a. Mr. Cooper d.b.a. Specialized Loan Servicing," is not a single entity, but rather Nationstar and SLS are separate entities; and

WHEREAS, on April 13, 2018, Nationstar filed a letter withdrawing the Lift Stay Motion, as Nationstar's servicing rights with respect to the Property were transferred to SLS (the "Lift Stay Motion Withdrawal Letter"); and

WHEREAS, on May 17, 2018, the Debtor filed a motion to strike Nationstar's Lift Stay Motion Withdrawal Letter (the "Third Request for Relief"), which in substance is an objection to the Lift Stay Motion Withdrawal Letter; and

WHEREAS, on May 29, 2018, the Debtor filed an application for an order to show cause why the Court should not hold attorneys for SLS and attorneys for Nationstar in contempt, and for sanctions and costs, for violating this Court's Loss Mitigation Order and Second Loss Mitigation Order by failing "to provide written notice of the name, address and direct telephone number of the person who has full settlement authority for either Loss Mitigation Order" (the "Fourth Request for Relief"); and

WHEREAS, on July 5, 2018, the Debtor filed an application for an order to show cause requesting that the Court cancel SLS's scheduled sale of the Property, and hold SLS in contempt of Court for failing to comply with the Court's Second Loss Mitigation Order (the "Fifth Request for Relief"); and

WHEREAS, on July 19, 2018, Nationstar filed an objection to the Fifth Request for Relief (the "Fifth Request for Relief Objection"); and

WHEREAS, on August 7, 2018, the SLS filed a letter advising the Court of a tentative settlement reached between it and the Debtor (the "SLS Settlement"); and

WHEREAS, on August 7, 2018, the Debtor filed a motion to strike the Fifth Request for Relief Objection (the "Sixth Request for Relief"), which in substance is a reply to Nationstar's Fifth Request for Relief Objection; and

WHEREAS, on September 25, 2018, the Nationstar filed an objection to the Sixth Request for Relief (the “Sixth Request for Relief Objection”); and

WHEREAS, on October 19, 2018, the Debtor filed a motion to hold Nationstar and Nationstar’s attorneys in contempt, and for sanctions, based upon alleged violations of the Discharge Order and Federal Rule of Bankruptcy Procedure 9011(b)(1) (the “Seventh Request for Relief”), which, in substance, is a reply to Nationstar’s Sixth Request for Relief Objection; and

WHEREAS, from time to time, the Court held and adjourned hearings on the Debtor’s various requests for relief; and

WHEREAS, on October 26, 2018, the Court held a continued hearing on the Second Request for Relief, the Third Request for Relief, the Fourth Request for Relief, the Fifth Request for Relief, and the Sixth Request for Relief, and a status conference on the parties’ participation in the Loss Mitigation program with respect to the 9508 Loan and the 9916 Loan.

WHEREAS, at the October 26, 2018 hearing, the Court terminated Loss Mitigation with respect to the 9508 Loan and the 9916 Loan; and

WHEREAS, at the October 26, 2018 hearing, the Court directed the Debtor and SLS to file with the Court a signed copy of the SLS Settlement.

NOW, THEREFORE, it is hereby

ORDERED, that on consent, the Debtor is directed to file a single motion (the “Consolidated Motion”) requesting all remaining relief sought against Nationstar by December 7, 2018; and it is further

ORDERED, that Nationstar is directed to file any responses or objections to the Consolidated Motion by December 21, 2018; and it is further

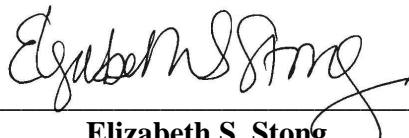
ORDERED, that the Debtor is directed to file any reply to Nationstar's opposition to the Consolidated Motion, if any, by January 11, 2019; and it is further

ORDERED, that the Court will hold a hearing on the Consolidated Motion and any opposition thereto on February 11, 2019, at 10:00 a.m., before the Honorable Elizabeth S. Stong in Courtroom 3585, United States Bankruptcy Court, 271-C Cadman Plaza East, Brooklyn, New York 11201; and it is further

ORDERED, that in order to obtain information about how to file the Consolidated Motion, the Debtor may contact Elise Kanter, Esq., Pro Se Law Clerk, via telephone, Monday through Friday between 9:00 a.m. and 3:00 p.m., at (347) 394-1738, and the Debtor may visit the Pro Se Law Clerk's office in person, in Room 1591, U.S. Bankruptcy Court, 271 Cadman Plaza East, Brooklyn, New York, 11201, between 9:00 a.m. and 12:00 p.m., and between 1:00 p.m. and 3:00 p.m., Monday, Thursday, and Friday.

**Dated: Brooklyn, New York
November 29, 2018**




Elizabeth S. Stong
United States Bankruptcy Judge

TO:

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Albany, NY 12201

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